

SUMMARY

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<p>2. E.Q. Scholars, Inc.</p>	<p style="text-align: center;">MOTION</p> <p>Janna Day made the following motion: Based upon a review of the information provided by the representatives of the charter holder and the contents of the application package which includes the academic performance, the fiscal compliance, and legal and contractual compliance of the charter holder over the charter term, I move to deny the request for charter renewal and to not grant a renewal contract for E.Q. Scholars, Inc. Specifically, the charter holder, during the term of the contract, failed to meet the obligations of the contract or failed to comply with state law when it:</p> <ol style="list-style-type: none"> 1. Failed to provide a learning environment to improve pupil achievement in accordance with A.R.S. § 15-181(A). 2. Failed to comply with Generally Accepted Accounting Principles. <p>Peter Bezanson seconded the motion.</p> <p style="text-align: center;">Motion passed through majority vote (7-1) (No: Morley)</p>
<p>3. Global Renaissance Academy of Distinguished Education</p>	<p style="text-align: center;">MOTION</p> <p>Norm Butler made the following motion: Renewal is based on consideration of academic, fiscal and contractual compliance of the charter holder. In this case, there is a record of academic performance below the Board's level of adequate academic performance, which has been addressed by the charter holder through the inclusion of a performance management plan as part of the renewal application package and can be incorporated in the charter contract. There is also a record of past contractual noncompliance which has been reviewed. With that taken into consideration as well as all information provided to the Board for consideration of this renewal application package and during its discussion with representatives of the charter holder, I move to approve the request for charter renewal and grant a renewal contract to Global Renaissance Academy of Distinguished Education that incorporates the performance management plan. Ruby Alvarado-Hernandez seconded the motion.</p> <p style="text-align: center;">Motion passed through majority vote (7-1) (No: Logan)</p>
<p>4. New West School</p>	<p style="text-align: center;">MOTION</p> <p>Norm Butler made the following motion: Renewal is based on consideration of academic, fiscal and contractual compliance of the charter holder. In this case, there is a record of academic performance below the Board's level of adequate academic performance, which has been addressed by the charter holder through the inclusion of a performance management plan as part of the</p>

<p>5. Omega Schools, Inc.</p>	<p>renewal application package and can be incorporated in the charter contract. There is also a record of past contractual noncompliance which has been reviewed. With that taken into consideration as well as all information provided to the Board for consideration of this renewal application package and during its discussion with representatives of the charter holder, I move to approve the request for charter renewal and grant a renewal contract to New West School that incorporates the performance management plan. Ruby Alvarado-Hernandez seconded the motion.</p> <p>Motion passed through majority vote (7-1) (No: Bezanson)</p> <p>MOTION</p> <p>Norm Butler made the following motion: Based upon a review of the information provided by the representatives of the charter holder and the contents of the application package which includes the academic performance, the fiscal compliance, and legal and contractual compliance of the charter holder over the charter term, the Board has sufficient basis to deny the request of Omega Schools, Inc. for the renewal of its charter on the following grounds: Failed to provide a learning environment that improves pupil achievement in accordance with A.R.S. §15-181; Failed to comply with fingerprinting requirements in accordance with A.R.S. §15-183.C.5; Failed to obtain the sponsor's approval to amend the contract prior to moving its school locations. All that taken into consideration, the charter holder is attempting to address concerns the Board previously expressed with its current configuration and has demonstrated an interest in consolidating its operations. Therefore, I move to grant a renewal contract that includes the following provisions and is executed within 30 business days of today's date: A performance management plan; The consolidation of the six schools currently operated by Omega Schools, Inc. into one elementary school that serves grades kindergarten through 8th grade and one high school that serves grades 9 through 12, effective July 1, 2012. If Omega Schools, Inc. is unwilling to agree to these provisions and to execute a charter renewal contract within 30 business days of today's date, then it is the Board's decision that Omega Schools, Inc.'s request for renewal of its charter be denied for the reasons already specified. Doug Ducey seconded the motion.</p> <p>Motion passed through majority vote (7-1) (No: Bezanson)</p>
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<p>6. The Charter Foundation, Inc. Item taken out of order: Agenda Item K (6). Renewal Application for The Charter Foundation, Inc. was tabled to be considered with item M.1(g)</p>	
<p>Board took break from 11:15am to 11:26am</p> <p>Agenda Item L. Charter Renewal - Shonto Governing Board of Education, Inc.</p>	<p style="text-align: center;">MOTION</p> <p>Stacey Morley made the following motion: I move to accept for consideration Shonto Governing Board of Education, Inc.'s untimely submitted application for renewal of its charter on the condition that within 7 calendar days of today's date that Shonto Governing Board of Education, Inc. acknowledge the following: that Shonto Governing Board of Education, Inc. failed to make a timely and sufficient application for renewal of its charter under A.R.S. 15-183(I)(1); that Shonto Governing Board of Education, Inc. agrees to waive the Board's timeframe for written notice of its decision on Shonto Governing Board of Education, Inc.'s application in order to give the Board additional time, if necessary, to consider Shonto Governing Board of Education, Inc.'s application for renewal of its charter; and that Arizona law does not allow Shonto Governing Board of Education, Inc. to operate beyond the charter expiration date if Shonto Governing Board of Education, Inc.'s request for renewal of its charter is denied.. Ruby Alvarado-Hernandez seconded the motion.</p> <p style="text-align: center;">Motion passed through majority vote (7-1) (No: Logan)</p>
<p>Agenda Item M. Compliance Matters</p> <p>1. a. American Leadership Academy, Inc.</p>	<p style="text-align: center;">MOTION</p> <p>Norm Butler made the following motion: Based on the information contained in the Board materials and presented today, that the Board find the following:</p> <p>1) That American Leadership Academy, Inc. failed to comply with the fingerprinting requirements prescribed in A.R.S. §15-512 for one of its non-instructional personnel; and</p> <p>2) That for civil penalty purposes under A.R.S. §15-185(I), this constitutes the first time American Leadership Academy, Inc. is out of compliance with statutory fingerprinting requirements; and</p> <p>3) That American Leadership Academy, Inc. provided proof within the required timeframe of notification that the individual was no longer employed by the charter school; and</p> <p>4) That no civil penalty be imposed at this time.</p> <p>Further, the Board directs staff to: Apprise the charter operator of the Board's findings and decision in this matter; and Notify the charter operator that if the Board determines that the</p>

<p>b. Archway Classical Academy Chandler</p>	<p>charter school subsequently violates the fingerprinting requirements during the next five years, a civil penalty of \$1,000 per occurrence shall automatically be imposed.</p> <p>Ruby Alvarado-Hernandez seconded the motion.</p> <p>Motion passed unanimously</p> <p>MOTION</p> <p>Stacey Morley made the following motion: Based on the information contained in the Board materials and presented today, that the Board find the following:</p> <p>1) That Archway Classical Academy Chandler failed to comply with the fingerprinting requirements prescribed in A.R.S. §15-183(C) for one of its teachers; and</p> <p>2) That for civil penalty purposes under A.R.S. §15-185(I), this constitutes the first time Archway Classical Academy Chandler is out of compliance with statutory fingerprinting requirements; and</p> <p>3) That Archway Classical Academy Chandler provided proof within the required timeframe of notification that an application for the appropriate fingerprint check has been received by the Department of Public Safety; and</p> <p>4) That no civil penalty be imposed at this time.</p> <p>Further, the Board directs staff to: Apprise the charter operator of the Board's findings and decision in this matter; and Notify the charter operator that if the Board determines that the charter school subsequently violates the fingerprinting requirements during the next five years, a civil penalty of \$1,000 per occurrence shall automatically be imposed.</p> <p>Ruby Alvarado-Hernandez seconded the motion.</p> <p>Motion passed unanimously (Recused: Bezanson)</p>
<p>c. Arizona Agribusiness & Equine Center, Inc. (CTDS 138785000)</p>	<p>MOTION</p> <p>Norm Butler made the following motion: Based on the information contained in the Board materials and presented today, that the Board find the following:</p> <p>1) That Arizona Agribusiness & Equine Center, Inc. failed to comply with the fingerprinting requirements prescribed in A.R.S. §15-183(C) for one of its teachers; and</p> <p>2) That for civil penalty purposes under A.R.S. §15-185(I), this constitutes the first time Arizona Agribusiness & Equine Center, Inc. is out of compliance with statutory fingerprinting requirements; and</p> <p>3) That Arizona Agribusiness & Equine Center, Inc. failed to provide proof within the required timeframe of notification that an application for the appropriate fingerprint check has been received by the Department of Public Safety; and</p>

<p>d. BASIS Schools – Flagstaff</p>	<p>4) That, as a result, the Board imposes a civil penalty of \$1,000 for the one occurrence of Arizona Agribusiness & Equine Center, Inc.’s noncompliance with fingerprinting requirements prescribed in A.R.S. 15-183(C). Further, the Board directs staff to: Apprise the charter operator of the Board’s findings and decision in this matter and its appeal rights under Arizona law; Notify the charter operator that if the Board determines that the charter school subsequently violates the fingerprinting requirements during the next five years, a civil penalty of \$1,000 per occurrence shall automatically be imposed; and Timely request the Arizona Department of Education to reduce the amount of state aid that the charter operator would otherwise receive by an amount equal to the civil penalty.</p> <p>Peter Bezanson seconded the motion.</p> <p>Motion passed unanimously</p> <p>MOTION</p> <p>Peter Bezanson made the following motion: Based on the information contained in the Board materials and presented today, that the Board find the following:</p> <p>1) That BASIS Schools, Inc. failed to comply with the fingerprinting requirements prescribed in A.R.S. §15-183(C) for one of its teachers; and</p> <p>2) That for civil penalty purposes under A.R.S. §15-185(I), this constitutes the first time BASIS Schools, Inc. is out of compliance with statutory fingerprinting requirements; and</p> <p>3) That BASIS Schools, Inc. failed to provide proof within the required timeframe of notification that an application for the appropriate fingerprint check has been received by the Department of Public Safety; and</p> <p>4) That, as a result, the Board imposes a civil penalty of \$1,000 for the one occurrence of BASIS Schools, Inc.’s noncompliance with fingerprinting requirements prescribed in A.R.S. 15-183(C). Further, the Board directs staff to: Apprise the charter operator of the Board’s findings and decision in this matter and its appeal rights under Arizona law; Notify the charter operator that if the Board determines that the charter school subsequently violates the fingerprinting requirements during the next five years, a civil penalty of \$1,000 per occurrence shall automatically be imposed; and Timely request the Arizona Department of Education to reduce the amount of state aid that the charter operator would otherwise receive by an amount equal to the civil penalty.</p> <p>Janna Day seconded the motion.</p> <p>Motion passed unanimously</p>
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Item taken out of order. Agenda Item J. Charter Replication Application- BASIS School, Inc.

e. Graysmark Schools Corporation

f. LEAD Charter Schools (CTDS 078968000)

MOTION

Ruby Alvarado-Hernandez made the following motion: I move to accept the replication application package and grant the replication charter for BASIS School, Inc. to operate BASIS Ahwatukee. Peter Bezanson seconded the motion.

Motion passed unanimously

MOTION

Stacey Morley made the following motion: Based on the information contained in the Board materials and presented today, that the Board find the following:

- 1) That Graysmark Schools Corporation failed to comply with the fingerprinting requirements prescribed in A.R.S. §15-512 for one of its non-instructional personnel; and
 - 2) That for civil penalty purposes under A.R.S. §15-185(I), this constitutes the first time Graysmark Schools Corporation is out of compliance with statutory fingerprinting requirements; and
 - 3) That Graysmark Schools Corporation provided proof within the required timeframe of notification that an application for the appropriate fingerprint check has been received by the Department of Public Safety; and
 - 4) That no civil penalty be imposed at this time.
- Further, the Board directs staff to: Apprise the charter operator of the Board's findings and decision in this matter; and Notify the charter operator that if the Board determines that the charter school subsequently violates the fingerprinting requirements during the next five years, a civil penalty of \$1,000 per occurrence shall automatically be imposed.

Ruby Alvarado-Hernandez seconded the motion.

Motion passed unanimously

MOTION

Peter Bezanson made the following motion: Based on the information contained in the Board materials and presented today, that the Board find the following:

- 1) That LEAD Charter Schools failed to comply with the fingerprinting requirements prescribed in A.R.S. §15-183(C) for one of its teachers; and
- 2) That for civil penalty purposes under A.R.S. §15-185(I), this constitutes the first time LEAD Charter Schools is out of compliance with statutory fingerprinting requirements; and
- 3) That LEAD Charter Schools provided proof within the required timeframe of notification that an application for the appropriate fingerprint check has been received by the Department of Public Safety; and
- 4) That no civil penalty be imposed at this time.

<p>g. The Charter Foundation, Inc.</p> <p>Items taken out of order: Agenda Item K(6) . Renewal Application for The Charter Foundation, Inc.</p>	<p>Further, the Board directs staff to: Apprise the charter operator of the Board’s findings and decision in this matter; and Notify the charter operator that if the Board determines that the charter school subsequently violates the fingerprinting requirements during the next five years, a civil penalty of \$1,000 per occurrence shall automatically be imposed.</p> <p>Ruby Alvarado-Hernandez seconded the motion.</p> <p>Motion passed unanimously</p> <p>MOTION</p> <p>Norm Butler made the following motion: Based on the information contained in the Board materials and presented today, that the Board find the following:</p> <ol style="list-style-type: none"> 1) That The Charter Foundation, Inc. failed to comply with the fingerprinting requirements prescribed in A.R.S. §15-512 for one of its non-instructional personnel; and 2) That for civil penalty purposes under A.R.S. §15-185(I), this constitutes the first time The Charter Foundation, Inc. is out of compliance with statutory fingerprinting requirements; and 3) That The Charter Foundation, Inc. provided proof within the required timeframe of notification that an application for the appropriate fingerprint check has been received by the Department of Public Safety; and 4) That no civil penalty be imposed at this time. <p>Further, the Board directs staff to: Apprise the charter operator of the Board’s findings and decision in this matter; and Notify the charter operator that if the Board determines that the charter school subsequently violates the fingerprinting requirements during the next five years, a civil penalty of \$1,000 per occurrence shall automatically be imposed.</p> <p>Ruby Alvarado-Hernandez seconded the motion.</p> <p>Motion passed unanimously</p> <p>MOTION</p> <p>Janna Day made the following motion: Renewal is based on consideration of academic, fiscal and contractual compliance of the charter holder. In this case, there is a record of academic performance below the Board’s level of adequate academic performance, which has been addressed by the charter holder through the inclusion of a performance management plan as part of the renewal application package and can be incorporated in the charter contract. There is also a record of past contractual noncompliance which has been reviewed. With that taken into consideration as well as all information provided to the Board for consideration of this renewal application package</p>
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<p>4. Academy Del Sol, Inc.</p>	<p style="text-align: center;">MOTION</p> <p>Peter Bezanson made the following motion: I move that we find Academy Del Sol, Inc. is in noncompliance with federal laws and its charter contract for its failure to comply with accounting and reporting requirements for receipt of NCLB, IDEA and ARRA funding and add to the basis of the current 10% withholding Academy Del Sol's monthly State aid apportionment until compliance is demonstrated through the completion of its NCLB Cycle 2 monitoring and the submission of its Continuous Improvement Plan, Elementary Secondary Education Act Plan Assurances, and the outstanding grant completion reports. Furthermore, the information contained in the audit package is one of the primary means the Board has to meet its statutory oversight and administrative responsibilities for the schools it sponsors. The audit submission is a statutory and contractual requirement. Although this is a matter that could be quickly corrected, it is recurring and therefore represents a material breach of the charter contract. Therefore, I move to issue a Notice of Intent to Revoke the charter of Academy Del Sol, Inc. for failing to submit the fiscal year 2011 annual financial statement and compliance audit as required by A.R.S. §15-183(E)(6), A.R.S. §15-914 and the charter contract and failing to comply with the accounting and reporting requirements for receipt of NCLB, IDEA and ARRA funding as required by federal law and the charter contract. I also move to require that: Within 48 hours of receipt of the Notice the charter operator shall notify staff and parents/guardians of registered students of the Notice of Intent to Revoke and the Notice of Hearing and provide a school location where the copy may be reviewed; Within 20 days of receipt of the Notice the charter operator shall provide copies of all correspondence and communications used to comply with the preceding provision; and Within 20 days of receipt of the Notice the charter operator shall provide the Board with the names and mailing addresses of parents/guardians of all students registered with the school.</p> <p>Janna Day seconded the motion.</p> <p style="text-align: center;">Motion passed through majority vote (6-2) (No: Morley, Alvarado-Hernandez)</p>
<p>Board took break from 12:39pm to 1:00pm</p> <p>5.</p> <p style="padding-left: 20px;">a. Kin Dah Lichii Olta</p>	<p style="text-align: center;">MOTION</p> <p>Peter Bezanson made the following motion: Because the charter holder does not have a history of late audit submissions and work on the audit is progressing, Board staff is directed to bring the</p>

	Motion passed unanimously
Agenda Item P. Board Comments and Future Meeting Dates	Recorded comments are available.
Agenda Item Q: Adjournment The meeting adjourned at approximately 4:41 p.m.	